

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WALKER & ZANGER INC,
Plaintiff(s),
v.

No. C 04-01946 VRW (JCS)

DISCOVERY ORDER

PARAGON INDUSTRIES INC,
Defendant(s).

Following the Discovery Conference held on July 22, 2005, IT IS HEREBY ORDERED THAT:

The Court adopts the Joint Discovery Plan, except as modified by this Order.

A further Discovery Conference is set for **September 9, 2005, at 1:30 p.m.**, before Magistrate Judge Spero, in Courtroom A, 15th Floor, U.S. District Court, 450 Golden Gate, San Francisco, California. If there are any discovery issues that the parties want the Court to address, a Joint Updated Discovery Statement shall be filed by **September 2, 2005**.

IT IS HEREBY FURTHER ORDERED THAT the Industry Expert language, under section 2.12 of the Stipulated Protective Order, is defined as proposed in the draft submitted to the Court by Plaintiff.

IT IS HEREBY FURTHER ORDERED THAT:

1. By **August 5, 2005**, the parties shall meet-and-confer and submit to the Court a list of the 30(b)(6) topics that both sides agree to, and identify those individuals who will speak to those topics. Deposition discovery is limited to those witnesses, and not more than three (3) additional depositions per side of unidentified witnesses.

2. All expert disclosures required by the Federal Rules of Civil Procedure shall be made by October 17, 2005. Expert rebuttal disclosures shall be made by October 31, 2005.

3. All non-expert discovery shall be completed by October 17, 2005.
4. All discovery from experts shall be completed by November 18, 2005.
5. Before filing any future discovery motions lead trial counsel for Plaintiff and lead trial counsel for Defendant shall meet and confer **in person** regarding the subject matter of the Motions in an attempt to resolve these matters. The location of the meet-and-confer session shall alternate with the first meeting location to be at Plaintiff's office, the second meeting to be held at Defendant's office, or at a mutually agreeable location. Any side may demand a meeting on ten (10) days' notice after efforts to resolve the matter through letters and/or phone calls have been unsuccessful. At the conclusion of the meet-and-confer session the parties shall submit a Joint Letter to the Court. This Joint Letter shall include a brief description of every issue in dispute and, with respect to each such issue, a detailed summary of each party's final substantive position and their final proposed compromise on each issue. Upon receipt of the Joint Letter the Court will then determine what additional proceedings will be necessary.

IT IS SO ORDERED.

DATED: July 27, 2005

/s/ Joseph C. Spero
JOSEPH C. SPERO
United States Magistrate Judge